

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
SW/Corner Allender Road and \*  
Red Lion Road \* DEPUTY ZONING COMMISSIONER  
(5811 Allender Road) \*  
11th Election District \* OF BALTIMORE COUNTY  
5th Councilmanic District \*  
Case No. 96-386-X  
Stanley Modular Corporation \*  
Petitioner \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 5811 Allender Road, located in the vicinity of Pulaski Highway in White Marsh. The Petition was filed by the owner of the property, Stanley Modular Corporation, by Lowell S. Stanley, President, and the Contract Purchaser/Lessee, Free State Indoor Sports, Inc, by Gerard B. Novak, through their attorney, John B. Gontrum, Esquire. The Petitioners seek approval of a commercial recreational facility (indoor soccer facility) on the subject property, zoned M.L. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were representatives of Stanley Modular Corporation, and Free State Indoor Sports, Inc., and their attorney, John B. Gontrum, Esquire. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 8.339 acres, more or less, zoned M.L. and is improved with three separate buildings, all of which are vacant at the present time. The largest of the three buildings, identified as Building No. 1 on the site plan, is proposed to be utilized as an indoor sports recreational

ORDER RECEIVED FOR FILING

Date 5/13/66

By [Signature]

MICROFILMED

facility. The Petitioners propose to make interior modifications to the building to provide a variety of athletic courts, batting cages, golf tees, and three indoor soccer fields for nonprofessional teams. Due to the M.L. zoning of the property, the relief requested is necessary in order to proceed as proposed. The special exception request was filed pursuant to the recently passed County Council Bill No. 96-21 which allows these commercial recreational facilities in an M.L. zone by special exception.

It is clear that the B.C.Z.R. permits the use proposed in a M.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

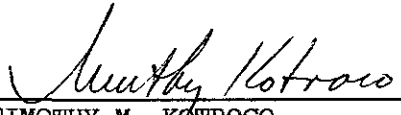
5/13/86  
Hjg

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13<sup>th</sup> day of May, 1996 that the Petition for Special Exception seeking approval of a commercial recreational facility (indoor soccer facility) on the subject property, zoned M.L., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County.
- 3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 5/13/96

By [Signature]

MICROFILMED

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

John B. Gontrum, Esquire  
814 Eastern Boulevard  
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL EXCEPTION  
SW/Corner Allender Road and Red Lion Road  
(5811 Allender Road)  
11th Election District - 5th Councilmanic District  
Stanley Modular Corporation - Petitioner  
Case No. 96-386-X

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Lowell S. Stanley  
800 Post Boy Court, Towson, Md. 21204

Mr. Gerard B. Novak, c/o Free State Indoor Sports, Inc.  
5811 Allender Road, White Marsh, Md. 21162

People's Counsel

File

MICROFILMED





# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

5811 Allender Road

which is presently zoned

M.I.

96-386-X

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

commercial recreational facilities

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Free State Indoor Sports, Inc.

(Type or Print Name)

Signature

5811 Allender Road

Address

White Marsh, Maryland 21162

City

State

Zipcode

Attorney for Petitioner:

John B. Gontrum

(Type or Print Name)

Signature

814 Eastern Blvd. 686-8274

Address

Phone No.

Baltimore, Md. 21221

City

State

Zipcode

Legal Owner(s):

Stanley Modular Corporation

(Type or Print Name)

Signature

Lowell S. Stanley, President

(Type or Print Name)

Signature

800 Post Boy Court

Address

Phone No.

Towson, Maryland

21204

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

MICROFILMED

ORDER RECEIVED FOR FILING

Date

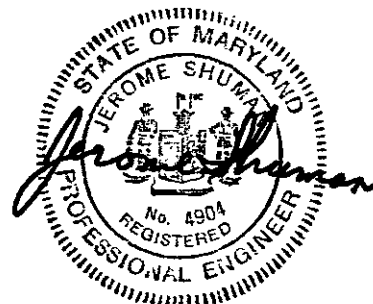
By

DROP OFF  
NO REVIEW  
4/4/96  
UCR

DESCRIPTION FOR SPECIAL EXCEPTION FOR  
5809-5811 ALLENDER ROAD, 11TH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

96-386-X

BEGINNING for same at a point on the southwest side of the intersection of Allender Road and Red Lion Road, 125' Southeast of the center line intersection of Red Lion and Allender Road and 35' Southwest and parallel to the center line of Allender Road, proceeding S  $20^{\circ} 39' 03''$  E 362.59' then S  $62^{\circ} 44' 31''$  W to a pipe, then S  $27^{\circ} 28' 48''$  W, 530.24' to a pipe, then N  $63^{\circ} 16' 32''$  W 473.96' to a pipe, then N  $27^{\circ} 47' 37''$  E 757.99', then N  $86^{\circ} 11' 03''$  E 133.59' to a point of curvature of a curve, the arc chord bearing N  $80^{\circ} 38' 10''$  E 34.80' to the end of the arc, then S  $62^{\circ} 46' 53''$  E 26.83' to the point of beginning. The area of the property being 8.339 +/- acres. The above information being taken from the plat plan of Coastal Modular Corporation, a part owner of the property.



MICROFILMED

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

96-386-X

District 11th

Date of Posting 9/29/96

Posted for: May 9, 1996 hearing

Petitioner: Stanley Modular Corp / Two State Plaza Sports Ave.

Location of property: 5809-5811 Allendale Road

Location of Sign: Facing 700 S Wey on A property being zoned

Remarks: \_\_\_\_\_

Posted by M. Kelly \_\_\_\_\_

Signature

Date of return: 9/26/96

Number of Signs: 1

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**NOTICE OF HEARING**

The Zoning Administrator of Baltimore County, by authority of the zoning laws and regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Crosskeys Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #88-388-X

(1st 2nd)

8888 N. W. Highway Road

500' x 100' Lot and Red

Lot

1st Election District

1st Election District

1st Election District

1st Election District

1st Election District

1st Election District

1st Election District

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1st Election District

4/7/99 April 18

C45114

**CERTIFICATE OF PUBLICATION**

TOWSON, MD.,

4/18, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/18, 1996.

**THE JEFFERSONIAN,**

**LEGAL AD. - TOWSON**

*A. H. Erickson*

**MICROFILMED**



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

013525

ITEM #387

drop-off — no rev

DATE 4/4/96

ACCOUNT 001-6150

96-386-X

AMOUNT \$ 335.00 (WDR)

RECEIVED FROM: Romadka, Gontrum & McLaughlin

#050 - SPECIAL EXCEPTION  
#080 - SIGN POSTING

FOR:

MICROFILMED

5811 Allender Road

DIAGNOSTIC UNIT CHRC  
BA 0009:27AMD4-09-96

\$335.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

TO: PUTUXENT PUBLISHING COMPANY

April 18, 1996 Issue - Jeffersonian

Please forward billing to:

John B. Gontrum, Esq.  
814 Eastern Boulevard  
Baltimore, MD 21221  
686-8274

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#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-386-X (Item 387)  
5809 - 5811 Allender Road  
SWC Allender Road and Red Lion Road  
11th Election District - 5th Councilmanic  
Legal Owner(s): Stanley Modular Corporation  
Contract Purchaser/Lessee: Free State Indoor Sports, Inc.

Special Exception for commerical recreational facilities (indoor soccer).

HEARING: THURSDAY, MAY 9, 1996 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

April 11, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-386-X (Item 387)  
5809 - 5811 Allender Road  
SWC Allender Road and Red Lion Road  
11th Election District - 5th Councilmanic  
Legal Owner(s): Stanley Modular Corporation  
Contract Purchaser/Lessee: Free State Indoor Sports, Inc.

Special Exception for commercial recreational facilities (indoor soccer).

HEARING: THURSDAY, MAY 9, 1996 at 11:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Stanley Modular Corporation  
Free State Indoor Sports, Inc.  
John B. Contrum, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

4-12-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 387 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350<sup>548-5501</sup> if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for* *Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 04/16/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: STANLEY MODULAR CORPORATION

Location: SWC ALLENDER RD. AND RED LION RD. (5809-5811 ALLENDER RD.)

Item No.: 387

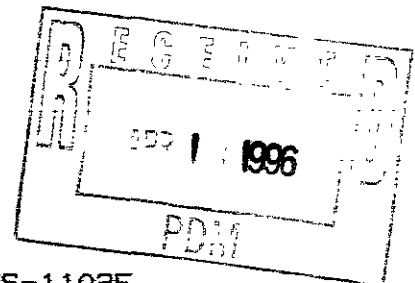
Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.



REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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Printed with Soybean Ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: April 22, 1996

FROM: *RWB* Robert W. Bowling, Chief  
Development Plans Review Division  
Department of Permits & Development  
Management

SUBJECT: Zoning Advisory Committee Meeting  
for April 22, 1996  
Item No. 387

The Development Plans Review Division has reviewed the subject zoning item. This site is located in an "S-3 Sewerage Plan Designation" area. Capital facilities are required and are possible within the framework of the 6-year petitions, determination of health hazards and the negotiation of Public Works Agreements.

The need for the change of occupancy and grading permits makes proposal subject to Landscape Manual. A Schematic Landscape Plan must be submitted and approved as a condition of considering the subject petition.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director April 25, 1996  
Zoning Administration and  
Development Management

FROM: Robert A. Wirth *RAW/ms*  
DEPRM

SUBJECT: Zoning Item #387 - Stanley Modular Corporation  
5811 Allender Road  
Zoning Advisory Committee Meeting of April 15, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Ground Water Management

A more detailed review of this proposal must be made by GWM staff. Should the proposed water usage be a substantial increase over past usage, the site may not be developed until public sewer is available. Contact Rob Powell at 887-2762 for more information.

RAW:SF:sp

MODULAR/DEPRM/TXTSBP

**MICROFILM**

Jim  
5/4

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: May 2, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 5811 Allender Road

INFORMATION:

Item Number:

387

*Case 96-386-X*

Petitioner:

Stanley Modular Corporation

Property Size:

Zoning:

ML

Requested Action:

Special Exception

Hearing Date:

    /    /    

SUMMARY OF RECOMMENDATIONS:

Staff supports the applicant's request based upon the information provided; however, the following modifications (indicated on the attached overlay) are recommended to improve circulation and site design quality.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Gary Kerns*

PK/JL

MICROFILMED



RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
5809, 5811 Allender Road, SWC Allender Rd	*	ZONING COMMISSIONER
and Red Lion Road, 11th Election	*	
District, 5th Councilmanic	*	OF BALTIMORE COUNTY
Legal Owner(s): Stanley Modular Corp.	*	
Contract Purchaser/Lessee: Free State	*	CASE NO. 96-386-X
Indoor Sports, Inc.	*	
Petitioners	*	

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6<sup>th</sup> day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, 814 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

UNRECORDED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

April 10, 1996

96-386-X

John B. Gontrum, Esquire  
814 Eastern Boulevard  
Baltimore, MD 21221

RE: Preliminary Petition Review (Item #387)  
5811 Allender Road  
11th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. There are no printed names to clarify signatures on two of the signature/owner/contract purchaser blocks.
2. This plan was only very generally reviewed at an informal meeting for potential zoning hearing action. This post drop-off review has provided additional information which requires further comment and clarification.
3. State what use was last approved at this location.
4. Note that no 100-year floodplain exists on the site or if so, show all required floodplain compliance and actions.

MICROFILMED

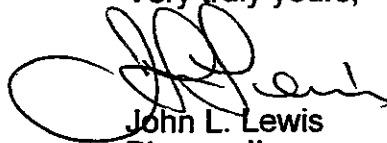


John B. Gontrum, Esquire  
April 10, 1996  
Page 2

5. Clarify what parts of what buildings and their square footages are proposed for this recreational use. Building #3 is shown as an office and yet is not shown in the parking calculations as such. Correct calculations accordingly and if a parking shortfall occurs, variance the deficiency. Further utilization of this site will require additional parking other than as shown on this plan.
6. Note on this and all future plans "that any utilization of these buildings or site other than as shown on this plan will require zoning review and approval by PDM".
7. Due to the special exception request/use change, zoning setback variances for all building to property lines or between buildings which do not meet Sections 102.2 and 255 (BCCZR) area requirements are necessary.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,



John L. Lewis  
Planner II  
Zoning Review

JLL:scj

Enclosure (receipt)

c: Zoning Commissioner

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

April 14, 1998

Richard E. Matz, P.E.  
Colbert Matz Rosenfelt, Inc.  
2835 Smith Avenue  
Suite G  
Baltimore, MD 21209

RE: Zoning Verification  
Freestate Indoor Soccer  
5811 Allender Road  
Zoning Cases #96-386-X & 97-205-X  
11th Election District

Dear Mr. Matz:

Staff has reviewed your proposal to add a swimming pool and rollerblade skating area to the existing uses at the above location. Based on the review and a discussion of the issues with Mr. Timothy M. Kotrocco, Deputy Zoning Commissioner, a zoning special hearing for an amended site plan will be required to permit the uses.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "John L. Lewis", is written over a large, stylized circular flourish.

John L. Lewis  
Planner II  
Zoning Review

JLL:ch

c: Zoning Case Nos. 97-205-X, 96-386-X





Baltimore County, Maryland

96-3413

Date 6/13/96

To: Arnold Jablon

From: Bob Barrett

- |  |   |
|--|---|
| <input type="checkbox"/> Please Note & File                            | <input type="checkbox"/> To be Signed         |
| <input type="checkbox"/> For Your Information                          | <input type="checkbox"/> Please Comment       |
| <input type="checkbox"/> Please Note & Return                          | <input type="checkbox"/> Please See Me        |
| <input type="checkbox"/> Please Handle                                 | <input type="checkbox"/> Investigate & Report |
| <input type="checkbox"/> Please answer, Sending me Copy of your letter |   |
| <input type="checkbox"/> Please Prepare reply for my Signature         |   |

Remarks:

Pursuant to our conversation re: the indoor arena @ Allender Road. Is there any relief we can give?

Thanks.

MICROFILMED

P.S. Rick Wisnom has been involved in the plumbing permit process.

CPS-004

6/17/96  
Recycled Paper  
tell w/ GR as to what about  
file [unclear] [unclear] to RW

76-386X

To: Ms. Winnie Carpenter  
Baltimore County Executive Office

From: Gerard B. Novak, President  
Freestate Indoor Sports Inc.

Subject: Renovation requirements for Freestate Indoor Sports Arena

Our company has signed a five year lease to provide indoor recreational sports activities for youth living in and around Baltimore County. To facilitate our opening, we are requesting your assistance in the renovation process.

Zoning. Our site plan calls for 141 parking spaces. We are requesting opening with approximately 75 spaces and phasing the remainder of the spaces over a two year period. This will reduce our construction costs by approximately \$10,000.

Plans Review and Fire have set an occupancy load of 2929 people. This calculation is based on square footage instead of expected use. We are requesting an occupancy load of 1500 people. Based on visits to other facilities in the area, our normal occupancy will average less than 400 people 90% of the time. This increase in occupancy will increase our startup costs by approximately \$35,000. The installation of nine additional doors as well as doubling the size of the bathrooms would be required.

OK  
18 mos  
on Fire  
Access.

It was also required that the existing fire lane be covered with a tar and chip or asphalt surface. The surface is currently crush and run stone, asphalt and tar and chip. This surface has been used for thirty years as a fire lane and as a thoroughfare for heavy truck traffic when the building manufactured trailers. We are requesting grading and repairing the surface with crush and run. If tar and chip is required, our costs will increase by approximately \$20,000. If asphalt is necessary, this cost will double.

In each of these cases, we would be willing to have future inspections to determine if upgrades are necessary, but would like to defray upfront costs for twelve to eighteen months.

We will have invested over \$250,000 in renovations to this building which has remained empty for the past three years. We will be providing much needed recreational space for indoor soccer, roller hockey, gymnastics, dance, and indoor baseball batting cages and golf tees. Any assistance you can provide will be greatly appreciated. If we can not get some relief from these requirements, it is unlikely that we will be able to continue with our project. We are asking for realistic limits based on our intended use. We would be willing to sign legal documents indicating that any change in use would require us to come back to Baltimore County for approval.

Our building permit number is B 269577. Please contact me at 591-2290 if you have any additional questions. Thank you in advance for your assistance.

Jerry Novak

NC from  
Hearings plan  
wCR - Talked to  
Jenny N.  
7/29/96

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2  
BILL NO. 21-96

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MR. LOUIS L. DEPAZZO, COUNCILMAN

---

BY THE COUNTY COUNCIL, JANUARY 16, 1996

---

A BILL  
ENTITLED

AN ACT concerning

Commercial Recreational Facilities

FOR the purpose of amending the definition of commercial recreational facilities in the  
Zoning Regulations and permitting these facilities to be located in certain  
manufacturing zones of the County.

BY repealing and re-enacting, with amendments

Section 101, the definition of Commercial Recreational Facilities, Section 241.1,  
by adding a permitted use, alphabetically, and Sections 248.4.A and ~~253~~ 253.2C. and  
D.

Baltimore County Zoning Regulations, as amended

WHEREAS, the Baltimore County Council has received a final report from the  
Planning Board, dated October 19, 1995, concerning the subject legislation and held a public  
hearing thereon on December 4, 1995, now, therefore

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
{Brackets} indicate matter stricken from existing law.  
~~Strike-out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

**MICROFILMED**

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that Section 101, the Definition of Commercial Recreational Facilities, Section 241.1, by adding a permitted use, alphabetically, and Sections 248.4.A. and ~~253~~ 253.2C. and D. of the Baltimore County Zoning Regulations, as amended, be and they are hereby repealed and re-enacted, with amendments, to read as follows:

Section 101 - Definitions.

Words used in the present tense include the future; words in the singular number include plural number; the word "shall" is mandatory. For the purposes of these regulations, certain terms and words are defined below:

~~Commercial Recreation~~ RECREATIONAL Facilities: Facilities whose principal purpose is to provide space and equipment for non-professional athletic activities. A commercial recreational facility includes, but is not limited to a [health or athletic club;] baseball-batting range or cage; golf-driving range; putting green; miniature golf; athletic field; swimming pool; skating rink or course; baseball, racquetball, tennis or squash court; [bowling alley;] archery range or similar facility or any combination of the above. For the purpose of these regulations, a commercial recreational facility shall not include a rifle, pistol, skeet, or trap range, go-cart course, amusement park, or similar use.

M.R. Zone - Manufacturing Restricted

Section 241 - Use Regulations

241.1 - The following uses are permitted, provided their operations are entirely



within enclosed buildings except where approval of the development plan indicates otherwise:

### COMMERCIAL RECREATIONAL FACILITIES

M.L.R. Zone - Manufacturing Light, Restricted

Section 248 - Use Regulations

248.4 - Special Exceptions - When permitted as special exceptions (see Sections 270 and 502):

A. The following uses:

Airstrips.

Automotive-service station, subject to the provisions of Section 405.

Boat yard (including marine railway).

### COMMERCIAL RECREATIONAL FACILITIES

Excavations, controlled (see Section 403).

Heliport, Type II.

Public utility uses other than those noted in Section 200.11 excluding steam power plant.

Riding stable (commercial) [golf driving range, miniature golf, baseball batting range; as interim income-producing uses].

Sanitary or rubble landfills (see Section 412).

Sludge disposal facility - Co-landfilling (see Section 412.A2.A).

1 Sludge disposal facility - Composting (see Section 412.A2.B).

2 Sludge disposal facility - Handling in general (see Section 412.A2.C).

3 Sludge disposal facility - Incineration (see Section 412.A2.D).

4 Sludge disposal facility - Landspreading (see Section 412.A2.E).

5 Volunteer fire company.

6 Wireless transmitting or receiving structure not permitted by Section 426.

7 Section 253 M.L. Zone (Manufacturing, Light)

8 Use Regulations.

9 253.2 Uses Permitted by Special Exception.

10 The uses listed in this subsection are permitted by special exception only

11 (see Section 502)

12 C. The following interim uses, provided that it is shown by the petitioner  
13 and verified by the director of public works that public sewerage and water-supply facilities  
14 will not be available to the site of any such use for a period of at least two years after the time  
15 the petition is heard, and provided, further, that any such use shall be discontinued and the  
16 grant of the special exception shall expire on a date within a year after such time as public  
17 sewerage and water-supply facilities do become available to the site, as shall be more  
18 particularly stipulated in the order granting the special exception:

19 1. Amusement parks;

20 [2. Baseball-batting ranges;]

21 [3.] 2. Farms, or limited-acreage wholesale flower farms;

22 [4. Golf-driving ranges;]

- [5.] 3. Kennels;
- [6.] 4. Miniature-golf courses;
- [7.] 5. Radio or television broadcasting studios;
- [8.] 6. Racetracks;
- [9.] 7. Riding stables, commercial;
- [10.] 8. Shooting ranges;
- [11.] 9. Trailers, non-accessory, subject to the provisions of Section 415, except that trailer parks are not permitted;
- [12.] 10. Used-motor vehicle outdoor sales areas; and
- [13.] 11. Veterinarians' offices.

D. The following miscellaneous uses:

1. Signs, outdoor-advertising (see Section 413.3);
2. Wireless transmitting or receiving structure not permitted by Section 426; and
3. After-Hours Club, provided that it is located at least 1,000 feet from any residentially-used dwelling, residential zone line, church, park, child care center, or school existing prior to the filing of the application for special exception.

4. COMMERCIAL RECREATIONAL FACILITIES.

SECTION 2. And be it further enacted that this Act shall take effect forty-five days from the date of its enactment.

B02196

387

# ROMADKA, GONTRUM & McLAUGHLIN, P.A.

814 Eastern Boulevard  
Baltimore, Maryland 21221

(410) 686-8274  
(410) 686-0118 FAX

ROBERT J. ROMADKA  
JOHN B. GONTRUM  
J. MICHAEL McLAUGHLIN, JR.\*

TOWSON OFFICE:  
307 W. ALLEGHENY AVENUE  
TOWSON, MARYLAND 21204  
(410) 825-0711

ELIZABETH A. VANNI  
MICHAEL J. KIRWIN

\* Also Admitted In the District of Columbia

April 3, 1996

DROP OFF  
NO REVIEW  
4/4/96  
WCR

Office of Zoning Administration & Development Management  
111 West Chesapeake Avenue  
County Office Building  
Towson, Maryland 21204

TO ACCOMPANY: Petition for Special Exception for the Property located at 5811 Allender Road, which is presently zoned M.L.

As required by the Office of Zoning Administration & Development Management, I hereby provide written verification of the following:

1. Currently, there ARE NO violations of the Baltimore County Zoning Regulations existing on the subject property; and
2. This Petition HAS been reviewed by John Lewis.

Attorney for Petitioner:



John B. Gontrum  
Romadka, Gontrum & McLaughlin, P.A.  
814 Eastern Boulevard  
Baltimore, Maryland 21221  
(410) 686-8274

MICROFILMED

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
SW/Corner Allender Road and \* DEPUTY ZONING COMMISSIONER  
Red Lion Road (5811 Allender Road)  
11th Election District \* OF BALTIMORE COUNTY  
5th Councilmanic District \* Case No. 96-386-X  
Stanley Modular Corporation  
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 5811 Allender Road, located in the vicinity of Pulaski Highway in White Marsh. The Petition was filed by the owner of the property, Stanley Modular Corporation, by Lowell S. Stanley, President, and the Contract Purchaser/Lessee, Free State Indoor Sports, Inc., by Gerard B. Novak, through their attorney, John B. Gontrum, Esquire. The Petitioners seek approval of a commercial recreational facility (indoor soccer facility) on the subject property, zoned M.L. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were representatives of Stanley Modular Corporation, and Free State Indoor Sports, Inc., and their attorney, John B. Gontrum, Esquire. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 8.339 acres, more or less, zoned M.L. and is improved with three separate buildings, all of which are vacant at the present time. The largest of the three buildings, identified as Building No. 1 on the site plan, is proposed to be utilized as an indoor sports recreational

facility. The Petitioners propose to make interior modifications to the building to provide a variety of athletic courts, batting cages, golf tees, and three indoor soccer fields for nonprofessional teams. Due to the M.L. zoning of the property, the relief requested is necessary in order to proceed as proposed. The special exception request was filed pursuant to the recently passed County Council Bill No. 96-21 which allows these commercial recreational facilities in an M.L. zone by special exception.

It is clear that the B.C.Z.R. permits the use proposed in a M.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

- 2 -

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13<sup>th</sup> day of May, 1996 that the Petition for Special Exception seeking approval of a commercial recreational facility (indoor soccer facility) on the subject property, zoned M.L., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County.
- 3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

- 3 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

John B. Gontrum, Esquire  
814 Eastern Boulevard  
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL EXCEPTION  
SW/Corner Allender Road and Red Lion Road  
(5811 Allender Road)  
11th Election District - 5th Councilmanic District  
Stanley Modular Corporation - Petitioner  
Case No. 96-386-X

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Lowell S. Stanley  
800 Post Boy Court, Towson, Md. 21204

Mr. Gerard B. Novak, c/o Free State Indoor Sports, Inc.  
5811 Allender Road, White Marsh, Md. 21162

People's Counsel

File

**Petition for Special Exception**  
to the Zoning Commissioner of Baltimore County

for the property located at 5811 Allender Road  
which is presently zoned M.L.

96-386-X  
This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for  
commercial recreational facilities

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Free State Indoor Sports, Inc.  
(Type or Print Name)  
*Gerard B. Novak*

5811 Allender Road  
White Marsh, Maryland 21162  
City State Zip

Attorney for Petitioner:  
John B. Gontrum  
(Type or Print Name)  
*John B. Gontrum*

814 Eastern Blvd. 686-8274  
Baltimore, Md. 21221  
City State Zip

Legal Owner(s):  
Stanley Modular Corporation  
(Type or Print Name)  
*Lowell S. Stanley, President*

800 Post Boy Court  
Towson, Maryland 21204  
City State Zip

City State Zip  
Name Address and phone number of legal owner, contract purchaser or representative to be contacted.

Name Address Phone No.

ESTIMATED LENGTH OF HEARING: \_\_\_\_\_

Re: Following date: \_\_\_\_\_

ALL OTHER: \_\_\_\_\_

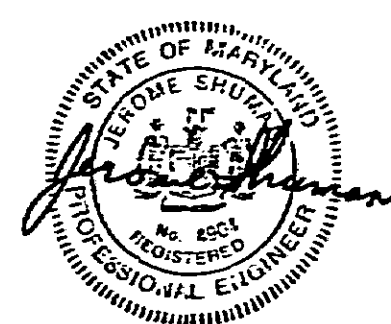
REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

ORDER RECEIVED FOR FILING  
Date 5/13/96  
By [Signature]

DROP OFF  
NO REVIEW  
4/14/96  
WCR

DESCRIPTION FOR SPECIAL EXCEPTION FOR  
5809-5811 ALLENDER ROAD, 11TH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND 96-386-X

BEGINNING for same at a point on the southwest side of the intersection of Allender Road and Red Lion Road, 125' Southeast of the center line intersection of Red Lion and Allender Road and 35' Southwest and parallel to the center line of Allender Road, proceeding S 20° 39' 03" E 362.59' then S 62° 44' 31" W to a pipe, then S 27° 28' 48" W 530.24' to a pipe, then N 63° 16' 32" W 473.96' to a pipe, then N 27° 47' 37" E 757.99', then N 86° 11' 03" E 133.59' to a point of curvature of a curve, the arc chord bearing N 80° 38' 10" E 34.80' to the end of the arc, then S 62° 46' 53" E 26.83' to the point of beginning. The area of the property being 8.339 +/- acres. The above information being taken from the plat plan of Coastal Modular Corporation, a part owner of the property.



CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 11th Date of Posting 9/14/96  
Posted for: May 9, 1996 hearing  
Petitioner: Stanley Modular Corp / Free State Indoor Sports, Inc.  
Location of property: 5809-5811 Allender Road  
Location of Sign: Placed on building on property on 5/13/96  
Remarks:  
Posted by: [Signature] Date of return: 9/14/96  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/18, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/18, 1996.

THE JEFFERSONIAN,  
*A. Henricson*  
LEGAL AD. - TOWSON

NOTICE TO PETITIONER  
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for commercial recreational facilities.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 013525  
ITEM #387  
DATE 4/4/96 ACCOUNT 001-0150 drop-off - no rev  
96-386-X AMOUNT \$ 335.00 (WCR)  
RECEIVED FROM Romelia, Gontrum & McLaughlin  
FOR #050 - SPECIAL EXCEPTION  
#040 - SIGN POSTING  
5811 Allender Road  
BALTIMORE, MD 21162 \$335.00  
VALIDATION ON SIGNATURE OF CAPTAIN



TO: POTOMAC PUBLISHING COMPANY  
April 18, 1996 Issue - Jeffersonian

Please forward billing to:

John B. Gontz, Esq.  
814 Eastern Boulevard  
Baltimore, MD 21221  
686-6274

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-386-1 (Item 387)  
5809 - 5811 Allender Road  
SWC Allender Road and Red Lion Road  
11th Election District - 5th Councilmanic  
Legal Owner(s): Stanley Modular Corporation  
Contract Purchaser/Lessee: Free State Indoor Sports, Inc.

Special Exception for commercial recreational facilities (indoor soccer).

HEARING: THURSDAY, MAY 9, 1996 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

April 11, 1996

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-386-1 (Item 387)  
5809 - 5811 Allender Road  
SWC Allender Road and Red Lion Road  
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Contract Purchaser/Lessee: Free State Indoor Sports, Inc.

Special Exception for commercial recreational facilities (indoor soccer).

HEARING: THURSDAY, MAY 9, 1996 at 11:00 a.m. in Room 106, County Office Building.

Arnold Jablon  
Director

cc: Stanley Modular Corporation  
Free State Indoor Sports, Inc.  
John B. Gontz, Esq.

NOTES: (1) HEARING IS AT 11:00 AM. PLEASE BE AT THE HEARING 15 MINUTES EARLY.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

RE: Baltimore County  
Item No. 387 (WCR)

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-959-1850 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_  
for the hearing or for a copy of the hearing transcript.

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 04/16/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: STANLEY MODULAR CORPORATION

Location: SWC ALLENDER RD. AND RED LION RD. (5809-5811 ALLENDER RD.)

Item No.: 387 Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper

#### BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: April 22, 1996

FROM: Robert W. Bowling, Chief  
Development Plans Review Division  
Department of Permits & Development  
Management

SUBJECT: Zoning Advisory Committee Meeting  
for April 22, 1996  
Item No. 387

The Development Plans Review Division has reviewed the subject zoning item. This site is located in an "S-3 Coverage Plan Designation" area. Capital facilities are required and are possible within the framework of the 6-year petitions, determination of health hazards and the negotiation of Public Works Agreements.

The need for the change of occupancy and grading permits makes proposal subject to Landscape Manual. A Schematic Landscape Plan must be submitted and approved as a condition of considering the subject petition.

RWB:HJO:jrb

cc: File

ZONE7E

#### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management

April 25, 1996

FROM: Robert A. Wirth  
DEPRM

SUBJECT: Zoning Item #387 - Stanley Modular Corporation  
5811 Allender Road  
Zoning Advisory Committee Meeting of April 15, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

#### Ground Water Management

A more detailed review of this proposal must be made by GWM staff. Should the proposed water usage be a substantial increase over past usage, the site may not be developed until public sewer is available. Contact Rob Powell at 887-2762 for more information.

RAW:SF:sp

MODULAR/DEPRM/TXTSHP

#### BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: May 2, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 5811 Allender Road

#### INFORMATION:

Item Number: 387

Petitioner: Stanley Modular Corporation

Property Size: \_\_\_\_\_

Zoning: ML

Requested Action: Special Exception

Hearing Date: / /

#### SUMMARY OF RECOMMENDATIONS:

Staff supports the applicant's request based upon the information provided; however, the following modifications (indicated on the attached overlay) are recommended to improve circulation and site design quality.

Prepared by: *Jeffrey W. Long*

Division Chief: *Gary Kerns*

PK/JL

RE: PETITION FOR SPECIAL EXCEPTION  
5809, 5811 Allender Road, SWC Allender Rd  
and Red Lion Road, 11th Election  
District, 5th Councilmanic  
Legal Owner(s): Stanley Modular Corp.  
Contract Purchaser/Lessee: Free State  
Indoor Sports, Inc.  
Petitioners  
BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 96-386-X

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6<sup>th</sup> day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to John B. Gontz, Esquire, 814 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

April 10, 1996

John B. Gontum, Esquire  
814 Eastern Boulevard  
Baltimore, MD 21221

RE: Preliminary Petition Review (Item #387)  
5811 Allender Road  
11th Election District

Dear Mr. Gontum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. There are no printed names to clarify signatures on two of the signature/owner/contract purchaser blocks.
2. This plan was only very generally reviewed at an informal meeting for potential zoning hearing action. This post drop-off review has provided additional information which requires further comment and clarification.
3. State what use was last approved at this location.
4. Note that no 100-year floodplain exists on the site or if so, show all required floodplain compliance and actions.

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on Recycled Paper

John B. Gontum, Esquire  
April 10, 1996  
Page 2

5. Clarify what parts of what buildings and their square footages are proposed for this recreational use. Building #3 is shown as an office and yet is not shown in the parking calculations as such. Correct calculations accordingly and if a parking shortfall occurs, variance the deficiency. Further utilization of this site will require additional parking other than as shown on this plan.
6. Note on this and all future plans "that any utilization of these buildings or site other than as shown on this plan will require zoning review and approval by PDM".
7. Due to the special exception request/use change, zoning setback variances for all building to property lines or between buildings which do not meet Sections 102.2 and 255 (BCCZR) area requirements are necessary.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

*John L. Lewis*  
John L. Lewis  
Planner II  
Zoning Review

JLL:scj

Enclosure (receipt)

c: Zoning Commissioner

Baltimore County, Maryland  
Date: 6/13/96  
To: Arnold Jablon  
From: Bob Barrett  
Please Note & File  
For Your Information  
Please Note & Return  
Please Handle  
Please Answer, Sending me Copy of your letter  
Please Prepare reply for my Signature  
To be Signed  
Please Comment  
Please See Me  
Investigate & Report  
Remarks:  
Pursuant to our conversation re: the indoor arena at Allender Road, is there any relief we can give?  
Thanks.  
P.S. Rick Winton has been involved in the plumbing permit process.  
CPS-004

Page 1 of 1 Wednesday, June 13, 1996 8:13 AM  
To: Ms. Anne Carpenter  
Baltimore County, Executive Office  
From: Gerard B. Nolan, President  
Pleasant Indoor Sports, Inc.  
Subject: Renovation requirements for Pleasant Indoor Sports Arena  
Our company has a great desire to provide indoor recreational sports activities for our youth and adults in Baltimore County. To facilitate our desire, we are requesting your assistance in the renovation process.  
During our site visit to the Pleasant Indoor Sports Arena, we are requesting opening with approximately 15,000 sq. ft. of space for the renovation of the arena. We are requesting approximately 250,000 sq. ft. of space for the renovation of the arena. We are requesting approximately 250,000 sq. ft. of space for the renovation of the arena.  
Pursuant to our conversation re: the indoor arena at Allender Road, is there any relief we can give?  
Thanks.  
P.S. Rick Winton has been involved in the plumbing permit process.  
CPS-004

NC from  
Hearing plan  
w/ R-Taken to  
Jenny N.  
7/24/96

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
LEGISLATIVE SESSION 1996, LEGISLATIVE DAY NO. 2  
BILL NO. 21-96

MR. LOUIS L. DEPAZZO, COUNCILMAN

BY THE COUNTY COUNCIL, JANUARY 16, 1996

A BILL  
ENTITLED

AN ACT concerning

Commercial Recreational Facilities

FOR the purpose of amending the definition of commercial recreational facilities in the

Zoning Regulations and permitting these facilities to be located in certain

manufacturing zones of the County.

BY repealing and re-enacting, with amendments

Section 101, the definition of Commercial Recreational Facilities, Section 241.1,

by adding a permitted use, alphabetically, and Sections 248.4.A and 253.2C, and

D.

Baltimore County Zoning Regulations, as amended

WHEREAS, the Baltimore County Council has received a final report from the Planning Board, dated October 19, 1995, concerning the subject legislation and held a public hearing thereon on December 4, 1995, now, therefore

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[brackets] indicate matter stricken from existing law.  
Strike-out indicates matter stricken from bill.  
Underlining indicates amendments to bill.

ROMADKA, GONTUM & McLAUGHLIN, P.A.

814 Eastern Boulevard  
Baltimore, Maryland 21221  
(410) 686-8274  
(410) 686-8111 FAX

ROBERT J. ROMADKA  
JOHN B. GONTUM  
MICHAEL J. McLAUGHLIN, JR.  
ELIZABETH A. VANNI  
MICHAEL J. KIRBY

\* Also Admitted to the District of Columbia

April 3, 1996

Office of Zoning Administration & Development Management  
111 West Chesapeake Avenue  
County Office Building  
Towson, Maryland 21204

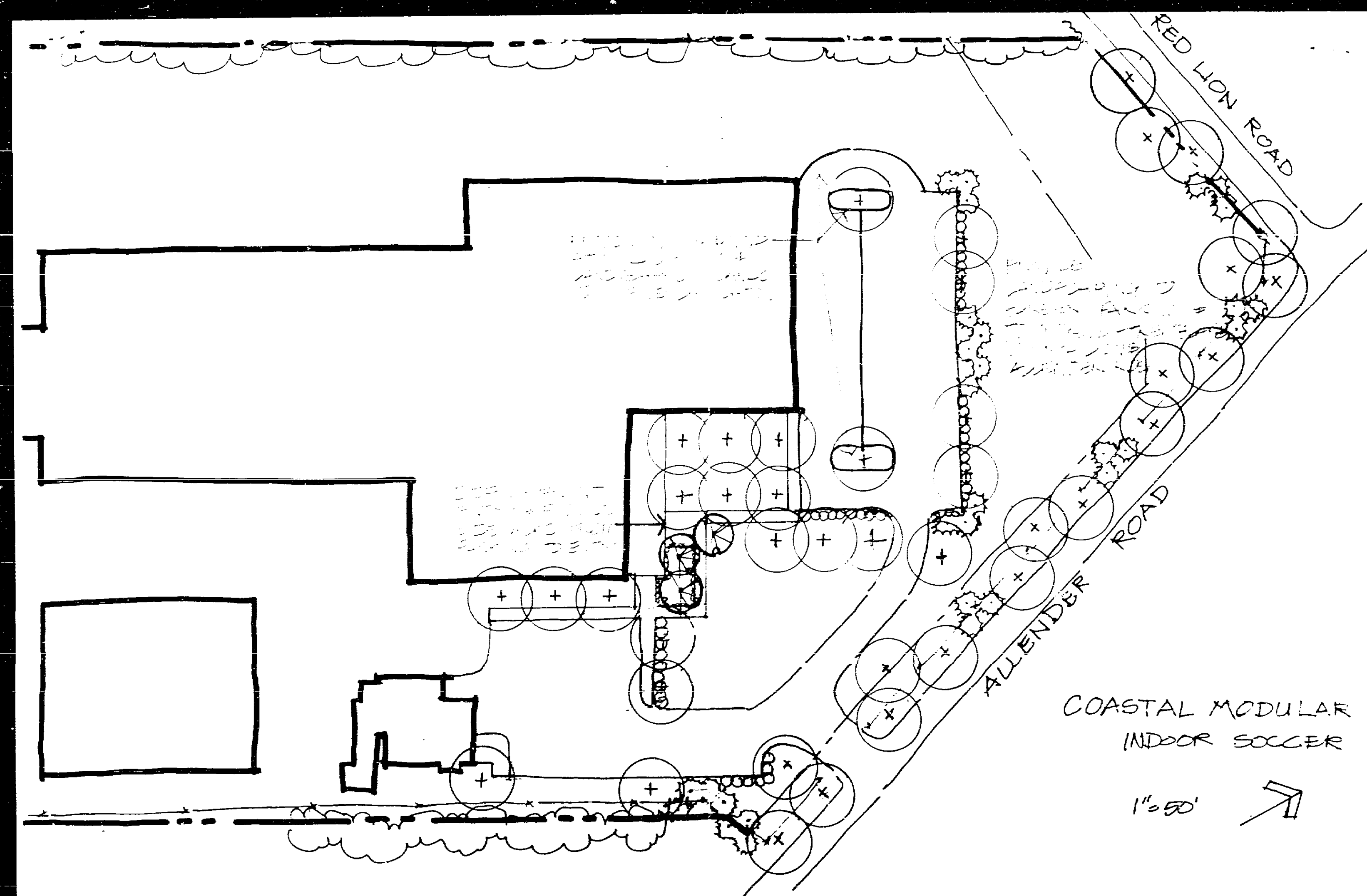
TO ACCOMPANY: Petition for Special Exception for the Property located at 5811 Allender Road, which is presently zoned M.L.

As required by the Office of Zoning Administration & Development Management, I hereby provide written verification of the following:

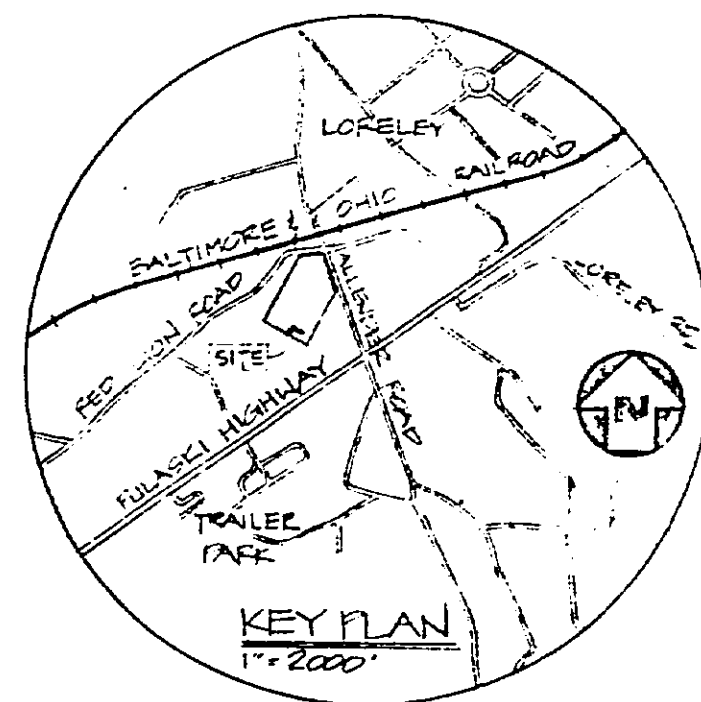
1. Currently, there ARE NO violations of the Baltimore County Zoning Regulations existing on the subject property; and
2. This Petition HAS been reviewed by John Lewis.

Attorney for Petitioner:

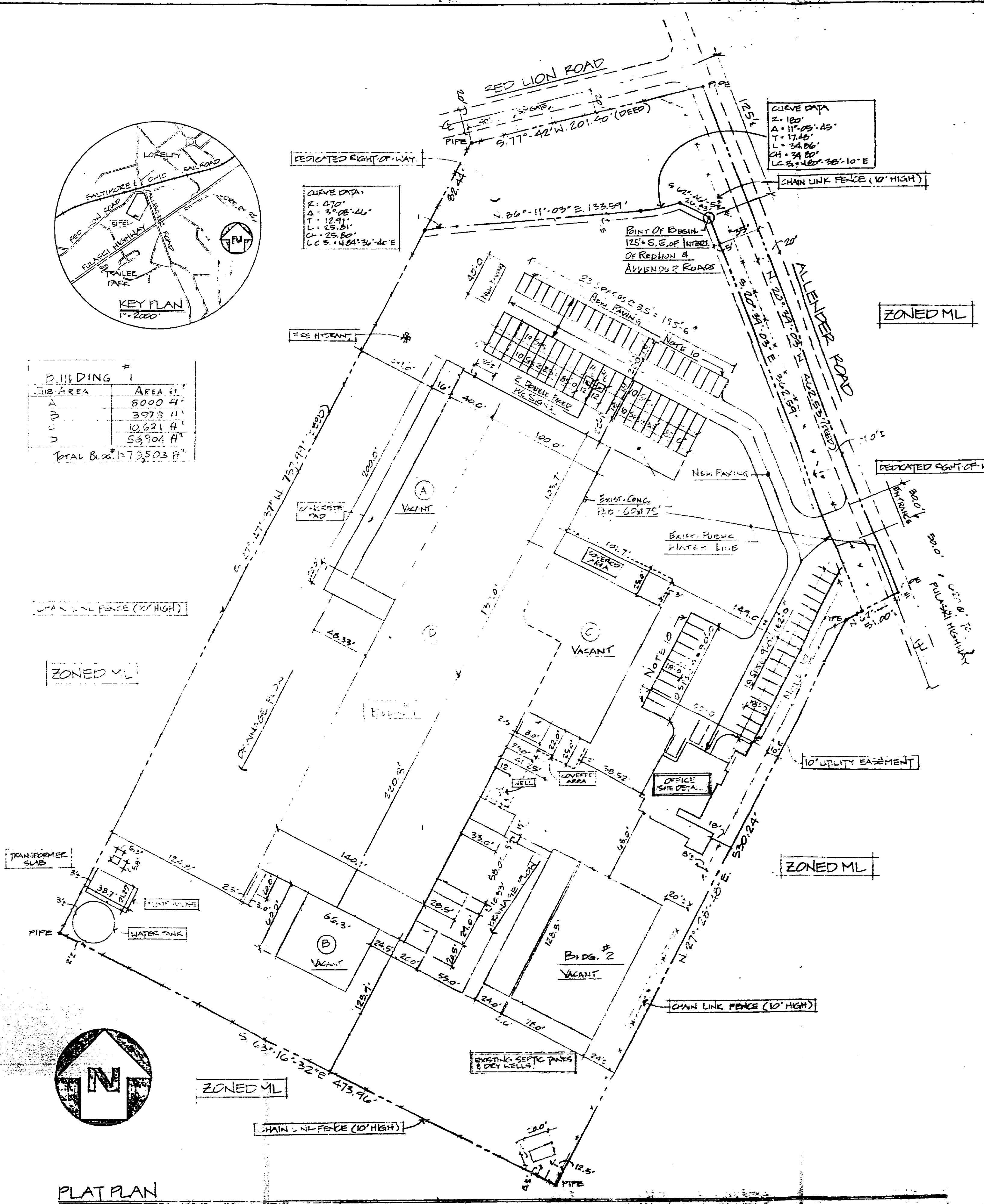
John B. Gontum  
Romadka, Gontum & McLaughlin, P.A.  
814 Eastern Boulevard  
Baltimore, Maryland 21221  
(410) 686-8274







BUILDING	AREA
A	5000.41'
B	3973.41'
C	10,621.41'
D	59,904.41'
TOTAL BLDG.	77,503.41'



# NOTES:

1. PROPERTY ZONED ML
2. 11th ELECTION DISTRICT
3. PROPERTY AREA - 0.534 ACRES
4. ALL OPEN AREAS SURFACED W/ CRUSHER RUN GRADE 12" TO 18" DEEP W/ TOP 4" CHIP SURFACE
5. SAVING FOR PARKING AREA TO BE CRUSHER RUN GRADE 12" TO 18" DEEP W/ TOP 4" CHIP SURFACE
  - 5.1. PHASE I EXPECTED COMPLETION - 1980
  - 5.2. PHASE II EXPECTED COMPLETION - 1981
6. PROPOSED 20' WIDE CIRCUMFERENCE ROAD TO HAVE CRUSHER RUN GRADE 12" TO 18" DEEP W/ TOP 4" CHIP SURFACE - EXPECTED COMPLETION - 1982

## GENERAL NOTES:

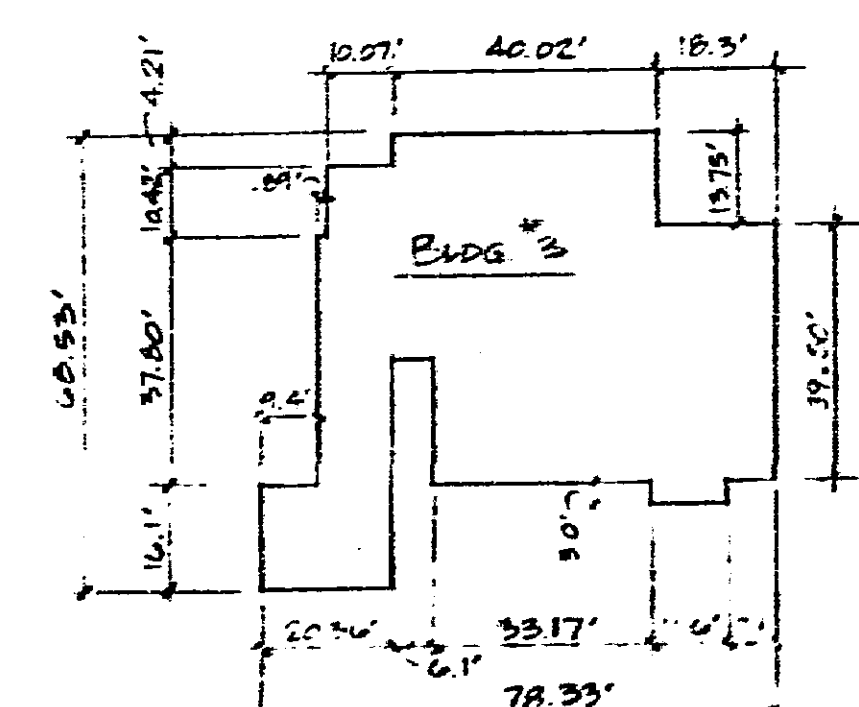
1. EXISTING USE - VACANT AND BUILDINGS
2. EXISTING ZONING - ML
3. SITE IS NOT IN A FLOOD PLAIN
4. PROPOSED USE - INDOOR SOCCER FACILITY
5. USE GROUP - A-3 ASSEMBLY (RECREATION)
  - (3) SECCER FIELDS TO BE USED BY CHILDREN ONLY UNDER DRIVING AGE
6. CHANGE OF CLEARANCE REQUIRED, PURSUANT TO BILL # 21-96 SEC. 253 D
7. PARKING REQUIREMENTS: AUDITORIUM - 1SF/4 SEATS
  - SPECTATORS 80' x 10' x 3 = 240
  - TEAM 12' x 10' x 2 = 24
  - MISC. (10%) JUDGES, COACHES, = 8
  - MAINTENANCE CREW = 8
  - TOTAL RECD = 328/4 = 81 SPACES
  - SPACES PROVIDED NEW = 67
  - EXIST. = 31
  - TOTAL PROVIDED = 98 SPACES
8. NEW PARKING AREA TO BE TOP OF CHIP SURFACE ON EXISTING STONE BASE (DEPTH TO BE VERIFIED (8" TO 10") & ACCEPTABLE BY OWNER)
9. PROVIDE DUSTLESS PARKING SURFACE
10. PROVIDE SCHEDULING FOR SPACES AS SHOWN
11. PROVIDE BUSES AND TRAILERS FROM THE SHOPS WHERE SHOWN
12. PROVIDE CEMENT STOPS WHERE NOTED ON PLAN
13. PROVIDE CONCRETE OF RAILROAD TIES
14. OWNER'S MCMRS. LOWELL STANLEY/COASTAL TOWNSHIP, MD. 21286
15. ELECTION DISTRICT - 11 PRECINCT - 3
16. PREVIOUS ZONING HEARING # 65-298-65
17. PETITION WAS TO CHANGE ZONING FROM R-6 TO ML, WHICH WAS APPROVED AND IS PRESENTLY ML
18. UTILITIES - PUBLIC WATER FROM ALLENDER RD FOR PLANT USE - EXISTING WATER TANK HOLDS 600,000 + GALLONS FOR SPRINKLER RESERVES - EXISTING EXISTING SEPTIC (PRIVATE) SYSTEM WITH DRAINAGE FIELDS

Pet Ex #1  
96-386-X



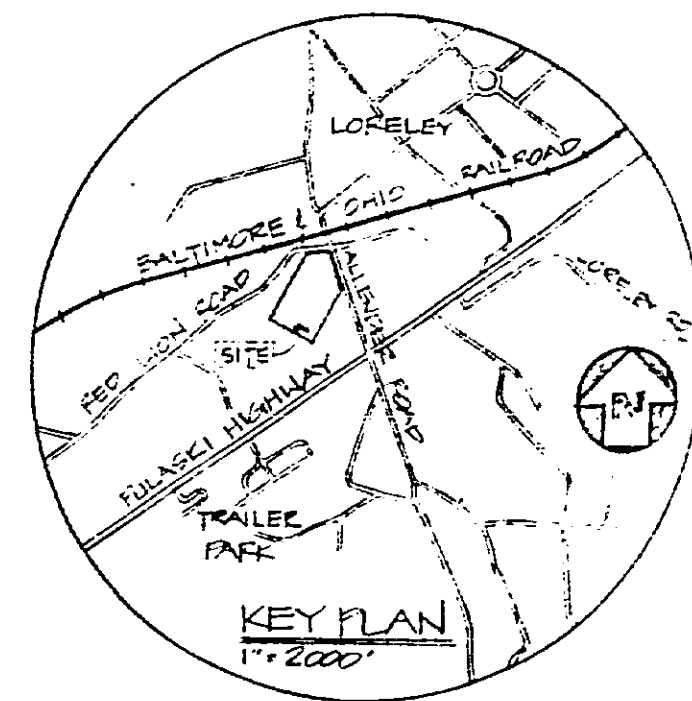
PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION 5809-5811 ALLENDER ROAD

PROPOSED INDOOR SOCCER FACILITY @ BUILDING #1		PLAN REVISIONS	
JEROME SHUMAN Consulting Engineer 17 Branchwood Court Pikesville, Maryland 21208		Dwg. SP.1 Date: March 1980	
REV	DATE	DESCRIPTION	BY
D	12/5/79	LOAN REV	6/2/80
C	1-4-79	REV PER BALD. CO. REQUEST	12/8/79
B	9-10-78	REV PER BALD. CO. REQUEST	12/8/79
A	8-1-78	REV PER BALD. CO. REQUEST	12/8/79
<div> <b>COASTAL MODULAR CORP.</b>            ALLENDER &amp; RED LION ROADS            WHITE MARSH, MARYLAND 21162 (301) 335-5600  <b>PLAN 387</b>            PROPERTY OF COASTAL MODULAR CORPORATION         </div>			
SIZE	CODE IDENT.	DWG. NO.	REV.
D	17041		
SCALE: AS NOTED		SHEET 1 OF 1	

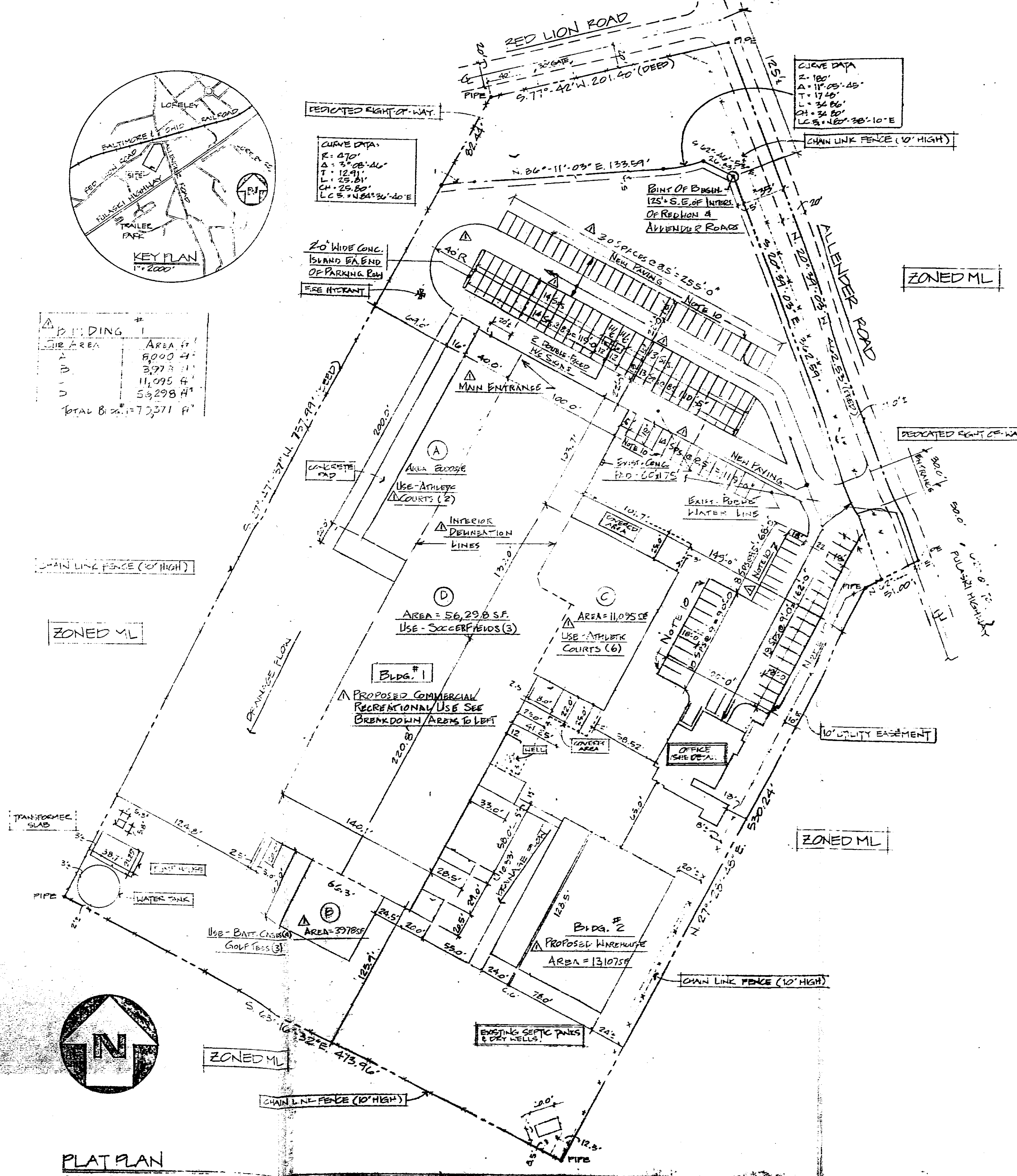


OFFICE DETAIL SCALE: 1" = 30'





BUILDING #	AREA
A	8,000 sq. ft.
B	3,978 sq. ft.
C	11,095 sq. ft.
D	56,298 sq. ft.
TOTAL	80,371 sq. ft.



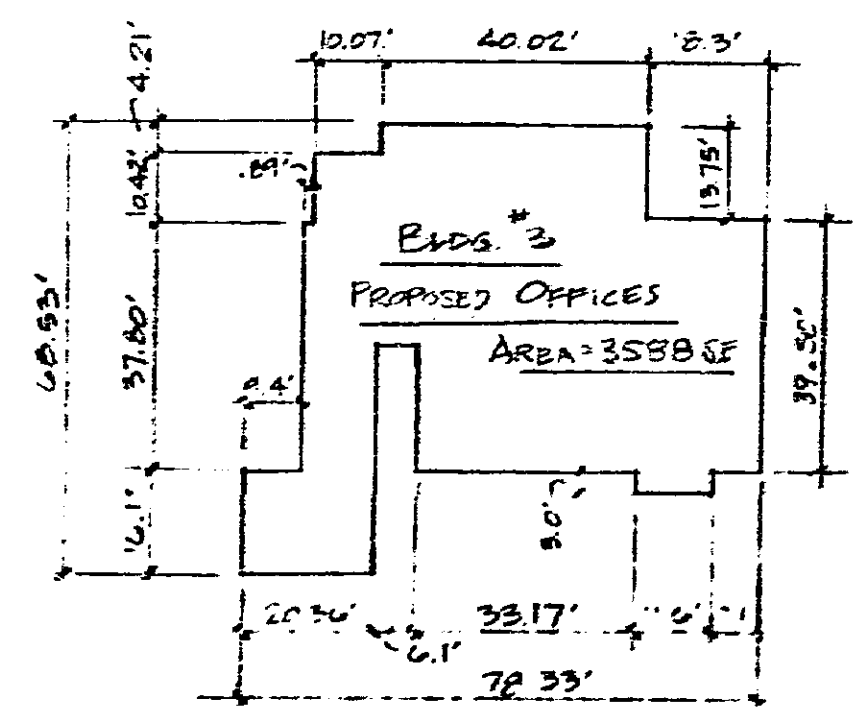
PLAT PLAN  
SCALE 1"=50'

NOTES:

1. PROPERTY ZONED ML
2. 11th ELECTION DISTRICT
3. PROPERTY AREA - 8.534 ACRES
4. ALL OPEN AREAS SURFACED W/ CRUSHER RUN GRADE 1" TO 1.5" DEEP.
5. PAVING FOR PARKING AREA TO BE CRUSHER RUN GRADE 1" TO 1.5" DEEP W/ TACK & CHIP SURFACE.

GENERAL NOTES - MAY 20

1. EXISTING USE - VACANT AND BUILDINGS
2. EXISTING ZONING - ML
3. SITE IS NOT IN A FLOOD PLAIN
4. PROPOSED USE - INDOOR COMMERCIAL/RECREATIONAL C.T.
5. USE GROUP - A-2 ACTIVELY RECREATION
6. (3) SICKER FIELDS TO BE USED PRIMARILY BY CHILDREN
6. CHURCH OF DISCIPLINE REQUIRED, PURSUANT TO B.M. 21-96 SEC. 253 D
7. PARKING PROPTS: AUDITORIUM - 150/4 SEAS  
SPECTATORS 80/Field x 3 = 240  
TEAM - 12/TEAM x 2 x 3 = 72  
MISC. (10%) JUDGES, COACHES, = 8  
MAINTENANCE CREW = 8  
TOTAL PROVIDED = 328/4 = 81 SPACES  
SPACES PROVIDED NEW = 110  
EXIST. = 31  
TOTAL PROVIDED = 141 SPACES
8. NEW PARKING AREA TO BE ON CHIP SURFACE ON EXISTING STONE BASE (DEPTH TO BE VERIFIED (8" MIN) & ACCEPTABLE BY CHURCH)
9. PROVIDE PAVED PARKING SURFACE
9. PROVIDE SIGNAGE FOR SPACES AS SHOWN PROVIDE PAIS AND DOUBLE FENCED MC SIGNS WHERE SHOWN
10. PROVIDE WHEEL STOPS WHERE NOTED ON PLAN ENTIRE CONCRETE OR RAILROAD TIES (Paved)
11. OWNERS MUST MAINTAIN STABLE/CORRAL TRAILER GOLF, 800 POST BOX COURT, JONSON, MD. 21286
12. ELECTION DISTRICT - 11 PRECINCT 3
13. PREVIOUS ZONING HEARING #25-298-65  
PETITION WAS TO CHANGE ZONING FROM R-6 TO ML, WHICH WAS APPROVED AND IS PRESENTLY ML
14. UTILITIES - PUBLIC WATER FROM ALLENDER ROAD FOR PLANT USE - EXISTING WATER TANK HOLDS 600,000 + GALLONS FOR SPRINKLER RESERVES - SANITARY EXISTING SEPTIC (PRIVATE) SYSTEM WITH DRAINAGE FIELDS
15. LANDSCAPE TO BE DONE ON SEPARATE PLAN



OFFICE DETAIL  
SCALE 1"=30'

Parking Calculations

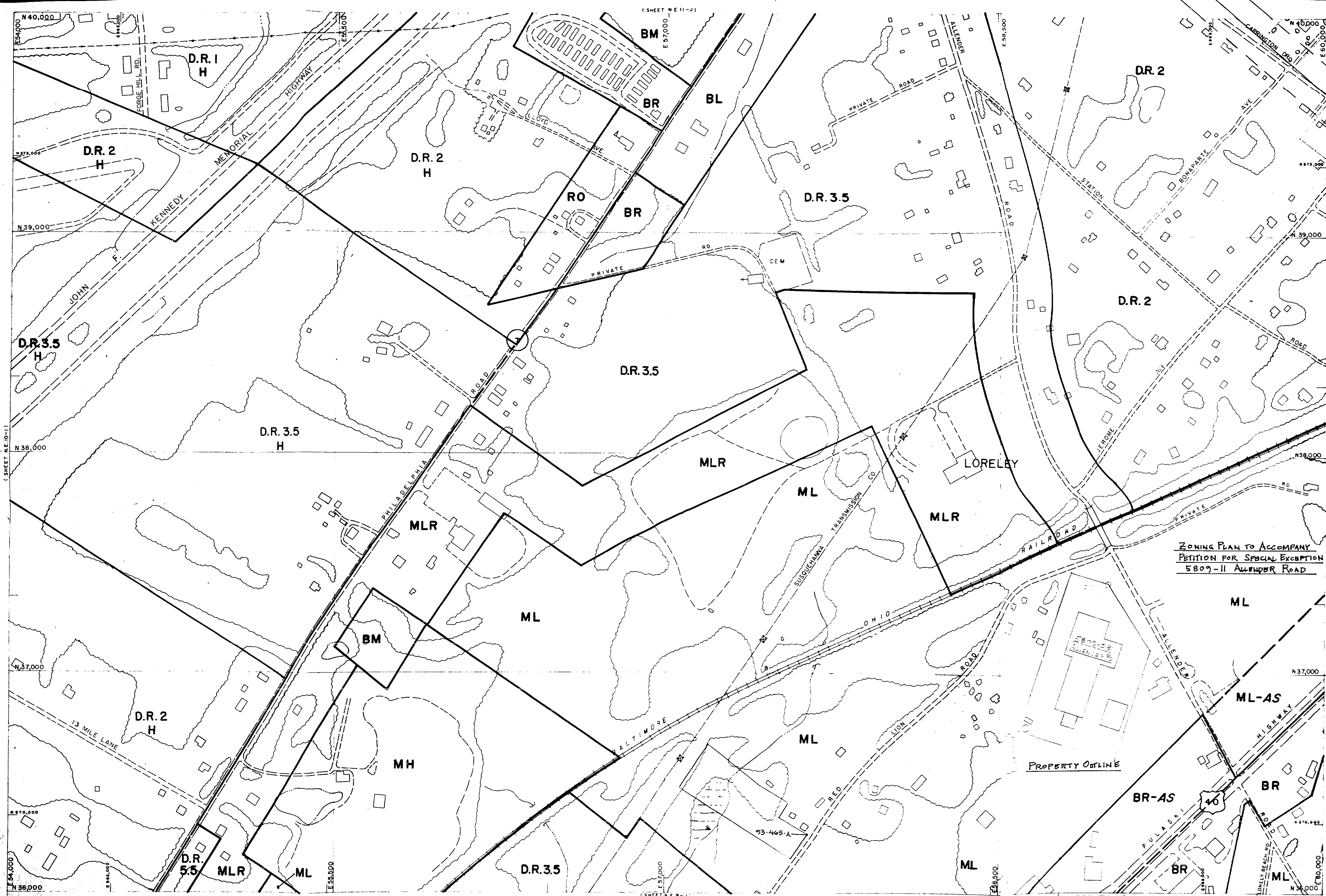
Building #	Area	Use	Parking Req'd
A	8,000 sq. ft.	Athletic Courts (2)	2 x 3 = 6 Sps
B	3,978 sq. ft.	Bathing Cabins 4 Golf Tees 3	7 x 15 = 105 "
C	11,095 sq. ft.	Athletic Courts (6)	6 x 3 = 18 "
D	56,298 sq. ft.	Soccer Fields (3)	See Note 8/1 "
Building #2		Warehouse	10 EMPLOYEES = 10 "
Building #3		Offices	33 x 3588 = 12 "
	Area = 35,588 sq. ft.		
			Total Req'd = 137.5 Sps
			" Provided 141 Sps.

Pet Ex #2

PLAN TO ACCOMPANY PETITION  
USE 366X PER SPECIAL EXCEPTION  
5800' 28" ALLENDER ROAD

PROPOSED COMMERCIAL/RECREATIONAL FACILITY	
E BUILDING #1	
PLAT REVISIONS	
JEROME SHUMAN Consulting Engineer 17 Branchwood Court Pikesville, Maryland 21208	Drawn: S.F. I Date: March 96
D 12/5/79	GEN REV
C 1-4-79	REV PER BALD CO REQUEST
B 9-10-78	REV PER BALD CO REQUEST
A 8-1-78	REV PER BALD CO REQUEST
REV	DATE DESCRIPTION BY
DRAWN 5-29-78 checked	
APPROVED	
PROJECT ACTIVITY APPROVED	
CME	
COASTAL MODULAR CORP.	
ALLENDER & RED LION ROADS WHITE MARSH, MARYLAND 21162 (301) 335-5500	
PLAT PLAN	
PROPERTY OF COASTAL MODULAR CORPORATION	
SIZE	CODE IDENT. DWG. NO. REV.
D	17041
SCALE: AS SHOWN	SHEET 1 OF 1





ZONING PLAN TO ACCOMPANY  
PETITION FOR SPECIAL EXCEPTION  
5809-II ALDER ROAD

M-NE M-NW  
Q-SE QQ-SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992  
REV. AS PER BILL NO. 175-94  
EFFECTIVE 1-1-95  
*William H. Hovde*  
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200'	LORELEY	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	387	10-J

96-386-X